

North Carolina Agriculture Cost Share Program Review Summary
November 4, 2013

County

McDowell

Date of Previous Review/Report

April 1998

District Staff Name(s)

Tyler Ross, Sherry Pittman

Date

11/04/2013

NRCS Staff Name(s)

Division Representative(s)

Davis Ferguson , Julie Henshaw, Jeff Young

Additional Participants

Stephen Banner

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
When do you schedule your board meetings?				X	Board meetings are held on the 2 nd Tuesday of the month. Meetings are not held on months of area meetings (October/November and March/April) or the annual meeting (January).		X			
How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law?		X			Yes, the district adheres to the Open Meetings Law. Notices for board meetings are posted at the district office. Recommendation: The division	X		We are announcing board meetings on public access TV, also FSA to promote district programs.	Ongoing	Plan of action accepted.

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					encourages the district to pursue their plans to announce board meetings on public access TV, the local newspaper and the district website. Other recommendations to promote district programs include asking FSA to include cost share announcements in their mail outs, presenting at county chapters of the Farm Bureau and Cattlemen's Association, and working with Cooperative Extension Service to reach horticulture and vegetable operations.					

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<i>When do you develop a conservation plan for a potential applicant?</i>				X	The district works closely with NRCS on conservation planning. Tyler is learning how to develop conservation plans including the use of toolkit, and will help develop plans for applicants who do not have a plan. Many cooperators have an existing conservation plan, and as they apply for funding, the district assists in revisiting and revising the cooperator's conservation plan.		X			
<i>How do you assess the resource concerns on the farm to determine if a BMP is needed and feasible?</i>	X				District staff works closely with NRCS to assess natural resource concerns. Tyler has taken an active role in pursuing training within the district and in adjacent districts learning from others with experience and knowledge in the conservation partnership.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes		X			
<i>Are application decisions/motions recorded in the board minutes?</i>				X	Yes		X			
Because applicants are limited when applying for incentive BMPs, how does your district track the applications for incentive BMPs? Is your district using the self-certification form provided by the division to track incentive BMPs.				X	The district does not have any incentive BMPs. Should there be interest in incentive BMPs, the district should maintain a spreadsheet to track cost share amounts per applicant to ensure that caps are not exceeded.		X			

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					There is also a self-certification form available for all cooperators for these practices, which should be included in the contract file					
Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs.				X	As stated above, the district does not have a track record of funding incentive BMPs. A spreadsheet should be used to track applicants and ensure that caps are not exceeded.		X			
If multiple partners farm together, how does the district track individual applicants as one operation?				X	The district knows the cooperators in their county, and has a good awareness of who farms together. The spreadsheet referenced above could include a column for associated operations/entities.		X			
Once applications are approved, how do you develop a contract?				X	If applications are approved, staff enters information into the online contracting system to develop the contract. This should be done following the operation's conservation plan.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?	X				Staff meets with the cooperator to review the documents and walk the site (if parties are able). They discuss the proposed project and review the contract timelines, requirements and funding.		X			

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What procedures do you follow for notifying the applicant that work can begin?		X			Staff calls the cooperator and schedules a field visit, often including NRCS staff. They provide copies of all materials to cooperators. <u>Recommendation:</u> The division recommends that a letter also be provided to the cooperator including contact information for the district and when the district should be contacted throughout the installation process.	X		Currently, developing a letter that will include a timeline for the producer with whom we have contracts with. Obviously this will be practice specific so each producer will receive differing letters in regards to installation timeline.	FY 2015	Plan of action accepted.
What information do you provide the applicant?				X	All contract documents including NRCS resources included in the EFOTG: standards, specifications, worksheets, etc.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes		X			
<i>Are contract decisions/motions recorded in the board minutes?</i>				X	Yes		X			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors don't vote on their own contracts. Applications are ranked the same as other non-supervisor contracts.		X			

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Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?				X	Yes (May 2010 minutes)		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline?				X	District staff works with cooperators to help layout and ensure that BMPs are installed correctly.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.		X			The district provides good follow up with cooperators regarding the status of BMP installation. <u>Recommendation:</u> The division recommends that the district maintain a contract spreadsheet that includes a column for the date for the 1/3 rule.	X		Currently maintaining a spreadsheet per Julie's recommendation	Already implemented	Plan of action accepted.
Is the district recording 6-month extensions in the board minutes?		X			Contracts that need a 6 month extension should be acted on during a board meeting and recorded in the board meeting minutes. <u>Recommendation:</u> The district recommends adding a column to your contract tracking spreadsheet for this date, and taking contracts to future board meetings to obtain extensions.	X		Column has been added to spreadsheet for contracts extended 6 months	Already implemented	Plan of action accepted.

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What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?		X			The district documents that the BMP was inspected and installed appropriately on the request for payment. Engineered practices also include the as-built design and letter from the design engineer. <u>Recommendation:</u> It is important to document site visits (dates and times), measurements, etc and include in field notes in the contract file.	X		Documentation of site visits, measurements, etc will now be included in the folder along with the RFP	Already implemented	Plan of action accepted.
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes. Staff makes notes in files. As mentioned above field notes are important and the amount of notes included in contract files should increase.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes. Now the district also uploads receipts into the cost share contracting system.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes		X			
If the BMPs are not installed by the end of the third program year per Commission policy, how does the district request a one-year extension?				X	The district provides follow up throughout the contract period to avoid requesting extensions, and provides one-on-one assistance to help cooperators meet tight installation deadlines at the end of the contract period.		X			



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Are payment decisions/motions recorded in the board minutes?				X	Yes, RFP decisions are recorded in the minutes.		X			
Section 2: Spot Checks and Compliance Issues Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
Who participates in annual spot checks? When are they conducted?				X	Technical staff and Supervisors. This year, Bill, Neil and Tyler conducted spot checks in May.		X			
How does the district select which contracts to spot check?				X	Randomly.		X			
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	Yes		X			
How does the district review five percent of all waste utilization plans?				X	The district is aware of the farms that fall in this category. They currently have one they are working with on a new contract.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.		X			This is currently not being done. <u>Recommendation:</u> when these contracts are completed or are to be spot checked, the district should request a review by the Area Office for ACSP BMPs. The request can be emailed to Jake Stokes with NRCS. For CCAP and AgWRAP BMPs	X		In regards to ACSP on the afore mentioned lands, the district will be contacting Jake Stokes for spot checks. Since the district has only one CCAP project for PY2014 and a application for PY2015, the district will contact Tom Hill, the CCAP coordinator and district cost	Will notify Jake Stokes and Jeff Young for spot checks April through end of May	Plan of action accepted.



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					contact the district's division cost share specialist.			share specialist to schedule spot checks. <i>Remember that this is only a requirement for BMPs on lands owned or operated by a district, county, division or NRCS employee or district supervisor.</i>		

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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation" How does your district notify individuals that have destroyed or mismanaged a BMP?				X	The district would write a letter and follow the commission's non-compliance policy.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	This information would be presented at a board meeting; although a board member may need to sign a letter to cooperators in between board meetings.		X			
When does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept with the CPO?				X	Both district employees are new this year, and are willing to follow the commission's non-compliance policy. The district has previously funded repair contracts.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Both district employees are new this year, and are willing to follow the commission's non-compliance policy. The district has previously funded repair contracts.		X			
<i>Is the district notifying the division of non-compliance and resolutions?</i>				X	Not applicable as both district employees are new this year, and are willing to follow the commission's non-		X			

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					compliance policy.					
Section 3: Record Keeping Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?		X			The district currently uses the online cost share contracting system. <u>Recommendation:</u> The division recommends maintaining a spreadsheet of active contracts for district tracking and maintenance.	X		Developed spreadsheet for PY2015 funds	Already implemented	Plan of action accepted.
How does the district use the division on-line (website) reports?				X	Not applicable; uses the online cost share contracting system.		X			
How are your BMP funds audited? What is the date of the last audit? Who performed the audit? Was the BMP audit form completed and notarized?				X	The BMP funds are audited by the board using the BMP Certification form. The last one was dated 5/30/13 and was notarized.		X			
How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The county tracks technical assistance funds.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Tyler Ross		X			
How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The county tracks operating funds.		X			

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How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The county tracks matching funds.		X			
How much time is spent on cost share program (ACSP, CCAP, AgWRAP) contracts and BMP implementation? How is that tracked?				X	A majority of Tyler's time is spent on cost share contracts and BMP implementation. He completes the quarterly timesheet in order to receive the funds for his position.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position?		X			<u>Recommendation:</u> Since the district has new staff, they were advised of best practices and will create and maintain their own job approval authority file.	X		Currently maintaining a file that documents all training taken and certificates achieved	Already implemented	Plan of action accepted.
Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract?				X	Yes. Supervisors have completed the 1B form for commission approval of supervisor contracts. They are also completing the annual supervisor disclosure form. As a reminder, the addendum should be updated whenever a supervisor will benefit from a contract – even if the supervisor voted for the contract (ex. supervisor hired as a contractor after the contract was approved).					
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										

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<p>Contract Number:59-2010-001 Applicant Name: John English BMP: Waste application equipment: manure spreader</p> 				X	<p>The contract file should reference the NRCS conservation plan (including last revision date) for the operation, the waste management plan, and include field notes.</p> <p>No concerns with the spreader.</p>		X			
<p>Contract Number:59-2004-04 Applicant Name: Aldridge and Carpenter BMP: Critical area planting and streambank stabilization</p> 				X	<p>The contract file should include a cultural resources review and a conservation plan or reference the NRCS conservation plan (including last revision date), and include field notes.</p> <p>No concerns with the BMPs.</p>		X			
<p>Contract Number:59-2007-001 Applicant Name: Mario Deluca BMP: cropland conversion to grass, watering tanks, livestock exclusion fencing and heavy use area protection</p>				X	<p>The contract file should reference the NRCS conservation plan (including last revision date) and include field notes.</p> <p>No concerns with the BMPs.</p>		X			

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Contract Number:59-2011-003 Applicant Name: R.N. Brackett BMP: stock trail, livestock exclusion fencing 				X	The contract file should reference the NRCS conservation plan (including last revision date) and include field notes. No concerns with the BMPs.		X			
Contract Number: 59-2011-002 Applicant Name: Charles Harris BMP: stock trail (repair)				X	The contract file should reference the NRCS conservation plan (including last revision date) and include field notes. No concerns with the BMPs.		X			

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